

IN RE: PETITION FOR SPECIAL HEARING  
3/5 Glass Avenue, 250' W of  
the c/l of Marilyn Avenue  
(810 Glass Avenue)  
15th Election District  
5th Councilmanic District  
Randall Pettie, et ux  
Petitioners

\* BEFORE THE  
\* DEPUTY ZONING COMMISSIONER  
\* OF BALTIMORE COUNTY  
\* Case No. 93-140-SPH

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Deputy Zoning Commissioner as a Petition for Special Hearing filed by the owners of the subject property, Randall and Dorothy Pettie, by and through their attorney, John B. Gontrum, Esquire. The Petitioners request a special hearing for a determination that the temporary care of five (5) dogs on the subject property, in accordance with Petitioner's Exhibit 1, is not a kennel, as that term is defined in the Baltimore County Zoning Regulations (B.C.Z.R.).

Appearing on behalf of the Petition were Randall and Dorothy Pettie, property owners, and their daughter, Tammy Pettie. Also appearing on behalf of the Petition was Debbie Gibson, adjoining property owner. Appearing in opposition to the Petitioners' request was Louis H. Fisher, a nearby property owner.

Testimony and evidence revealed that the subject property, known as 810 Glass Avenue, consists of 0.25 acres, more or less, zoned D.R. 5.5 and is improved with a single family dwelling and detached garage. Said property is located within the Chesapeake Bay Critical Areas. Testimony indicated that the Petitioners have resided on the property for the past 16 years. For the past 11 years, a Siberian Husky has resided on the property with the family. Randall Pettie testified that their daughter, Tammy, has moved back into the house and brought her dog, a mixed breed

resembling that of a Labrador Retriever which is depicted in the photograph marked Petitioner's Exhibit 2B. Mr. Pettie testified that his daughter was involved a serious automobile accident for which she incurred major medical bills which total approximately \$7,000. Testimony indicated that Tammy is in the process of paying off these medical bills and once these bills are paid off, she will move out of the subject property.

Further testimony indicated that Mr. Pettie purchased a three-month old Dalmation as a gift for Tammy which was later stolen from the family. A reward of \$1,000 was offered for the Dalmation in hopes that whoever stole the dog would return same to the Petitioners. However, after a substantial period of time, the Petties gave the dog up for lost and purchased two Dalmation puppies to replace the one that was stolen. However, after they purchased the two Dalmation puppies, the Dalmation that had been stolen was returned to the Pettie's. These circumstances resulted in the Pettie's having a total of five dogs on their property.

Tammy Pettie testified that the black Labrador and the eldest Dalmation belong to her and she will take them with her when she moves from the property, once her medical bills are paid. She testified that she is actively searching for a place to live at this time and will move out of the subject property one year from now at the latest. At that time, the Petitioners would only have three dogs residing on the property and would comply with the B.C.Z.R. However, given the temporary situation of having five dogs on the property, the Petitioners filed the instant Petition for Special Hearing.

Tammy Pettie testified that she approached all of her neighbors on Glass Avenue, explained her circumstances, and asked if any of them would object to the Petitioners keeping these five dogs on the property

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until such time as she could relocate. Every neighbor on Glass Avenue gave their approval to the Petties keeping the five dogs on their property, but for the Protestant, Louis H. Fisher, who resides at 816 Glass Avenue, and another resident who, because of her health, did not respond.

Louis H. Fisher testified in opposition to the Petitioner's request. Mr. Fisher is a combat veteran who has resided at 816 Glass Avenue for the past 23 years. He testified that he is opposed to the five dogs staying on the subject property because they frighten his great granddaughter who is five years old. He further testified that the dogs have caused his grandchildren and great granddaughter to move to an apartment and out of his residence. He feels that this is attributed to the dogs living down the street.

Debbie Gibson, who lives between Mr. Fisher and the Petitioners, appeared and testified. Ms. Gibson is in favor of the dogs remaining on the property. She testified that the dogs do not pose any nuisance or any problems to the neighborhood. She questioned whether the dogs pose any nuisance to Mr. Fisher who lives further away from the Petitioners' property than does she. Furthermore, she stated that she has erected a privacy fence on the property line between her house and Mr. Fisher's property and that this privacy fence would prohibit Mr. Fisher from seeing the dogs when they are out on the Pettie property. However, Mr. Fisher did testify and presented a picture evidencing that the dogs can be seen from his property if he stands on his back porch and looks toward the Petitioners' yard.

It is clear from the testimony presented that the Petitioners have been housing and continue to house five adult dogs on the subject property. In applying the definition of a kennel to the facts presented, I find that

- 3 -

the five dogs kept on the Petitioners' property does constitute its use as that of a kennel. I agree with Counsel for the Petitioners that the temporary housing of more than three adult dogs might not be a kennel. However, testimony revealed that these five dogs have resided on the property for a substantial amount of time and will continue to reside on the property for up to one year from the date of this hearing. Therefore, I find that the five dogs being kept on the property constitutes its use as a kennel.

However, given the facts and circumstances around which there came to be five dogs on the subject property, I am persuaded to grant a modified relief and will suggest to the Zoning Enforcement Division of the Zoning Administration and Development Management Office (ZADAM) that no enforcement action be taken against the property owners for keeping the five dogs on the property. The Petitioners' daughter was forced to move back home due to an automobile accident and brought her dog with her. That dog along with the elder Dalmation will move out of the premises with the daughter once she is financially able to relocate from the Petitioners' home. That could be anytime and will be no later than one year. In addition, there was overwhelming support in the neighborhood for these dogs to remain at 810 Glass Avenue. It was also obvious to this Deputy Zoning Commissioner that other problems exist between Mr. Fisher and several of his neighbors. Those problems were briefly discussed at the hearing. However, these problems are independent of this hearing and involve circumstances which will be resolved in District Court. I believe that it was those other problems which resulted in this Petition being filed and not necessarily the presence of these dogs on the Petitioners' property.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the

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relief requested in the special hearing shall be denied and a modified relief granted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 17<sup>th</sup> day of December, 1992 that the Petition for Special Hearing for a determination that the temporary care of five (5) dogs is not a kennel, as that term is defined in the Baltimore County Zoning Regulations (B.C.Z.R.), be and is hereby DENIED; and,

IT IS FURTHER ORDERED that no enforcement action shall be taken by the Zoning Enforcement Division of the Zoning Administration and Development Management Office prior to the expiration of 15 months from the date of this Order. This will afford the Petitioners' daughter time to relocate and take her two dogs with her, thus leaving the Petitioners with only three dogs on the property, which would be in compliance with the B.C.Z.R. As soon as the Petitioners' daughter relocates from the subject property, the Petitioners shall reduce the number of dogs they keep on the property to three.

IT IS FURTHER ORDERED that the Petitioners shall be prohibited from bringing any more dogs to the subject property during this 15-month period. In the event any of the five dogs currently residing on the property should pass away, or be given away, the Petitioners shall be prohibited with replacing that dog with any other dog.

1) The Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.

2) The relief granted is limited to the five dogs currently residing on the subject property. The Petitioners shall reduce the number of dogs residing on the property from five to three within thirty (30)

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days of the expiration of the 15-month period granted herein.

3) Upon request and reasonable notice, Petitioners shall permit a representative of the Zoning Enforcement Division to make an inspection of the subject property to insure compliance with this Order in the event it becomes necessary to do so as a result of a complaint.

TWK:bjs

*Timothy M. Kotroco*  
TIMOTHY M. KOTROCO  
Deputy Zoning Commissioner  
for Baltimore County

ORDER RECEIVED FOR FILING  
Date 10/21/92  
By [Signature]

- 6 -

Baltimore County Government  
Zoning Commissioner  
Office of Planning and Zoning



Suite 113 Courthouse  
400 Washington Avenue  
Towson, MD 21204

(410) 887-4386

John B. Gontrum, Esquire  
814 Eastern Boulevard  
Baltimore, Maryland 21221

RE: PETITION FOR SPECIAL HEARING  
N/S Glass Avenue, 250' W of the c/l of Marilyn Avenue  
(810 Glass Avenue)  
15th Election District - 5th Councilmanic District  
Randall Pettie, et ux - Petitioners  
Case No. 93-140-SPH

Dear Mr. Gontrum:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Special Hearing has been denied and a modified relief granted in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact Ms. Charlotte Radcliffe at 887-3351.

Very truly yours,

*Timothy M. Kotroco*

TIMOTHY M. KOTROCO  
Deputy Zoning Commissioner  
for Baltimore County

TWK:bjs

cc: Mr. Louis H. Fisher  
816 Glass Avenue, Baltimore, Md. 21221

People's Counsel

File

ORDER RECEIVED FOR FILING  
Date 10/21/92  
By [Signature]

Petition for Special Hearing

on 810 Glass Ave, 250' W of D.R. 5.5  
to the Zoning Commissioner of Baltimore County 93-140-A

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Hearing under Section 800.7 of the Baltimore County Zoning Regulations, to determine whether or not the Zoning Commissioner and/or Deputy Zoning Commissioner should approve Case 93-140-SPH, same as 5 dogs, 15 mos. not a kennel

Property is to be posted and advertised as prescribed by Zoning Regulations

I, or we, agree to pay expenses of the above Special Hearing advertising, posting, etc., upon filing of this Petition, and further agree to and are to be bound by the zoning regulations and conditions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser/Lessee: (Type or Print Name) Signature Address City and State	Legal Owner(s): (Type or Print Name) Signature (Type or Print Name) Signature City and State
Attorney for Petitioner: (Type or Print Name) Signature Address City and State	Address City and State Name, address and phone number of legal owner, contract purchaser or representative to be contacted Name Address Phone No.
Attorney's Telephone No.: 686.8274	

No REVIEW

10/21/92 WCR



OFFICE USE ONLY  
ESTIMATED LENGTH OF HEARING - 1/2HR. (H)  
AVAILABLE FOR HEARING  
MON., TUES., WED. - NEXT TWO MONTHS  
ALL OTHER  
REVIEWED BY: DATE

93-140-A

Three copies of the zoning description of your property are required. Type or print this description, standard 8-1/2" x 11" sheets are acceptable. Most property descriptions, as stated on a deed, do not have adequate information. The zoning description must be in the following form:

ZONING DESCRIPTION FOR 810 Glass Avenue, Baltimore, MD 21221  
(address)

Beginning at a point on the North side of Glass Avenue which is 25' street on which property fronts 250 West wide at the distance of 250 West of the centerline of the nearest improved intersecting street Marilyn Avenue (name of street) which is 50 wide. \*Being Lot # 6 (number of feet of right-of-way width) Block Section # in the subdivision of Glass (name of subdivision) as recorded in Baltimore County Plat Book # 7, Folio # 20, containing 7500 sq. ft. Also known as 810 Glass Avenue (square feet or acres) (property address) and located in the 15th Election District, 5th Councilmanic District.

\*If your property is not recorded by Plat Book and Folio Number, then DO NOT attempt to use the Lot, Block and Subdivision description as shown, instead state: "As recorded in Deed Liber #, Folio # and include the measurements and directions (metes and bounds only) here and on the plat in the correct location.

Typical metes and bounds: N. 87° 12' 13" E. 321.1 ft., S. 18° 27' 03" E. 87.2 ft., S. 62° 19' 00" W. 318 ft., and N. 08° 15' 22" W. 80 ft. to the place of beginning.

# CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY Towson, Maryland

93-140-A

District: 15th Date of Posting: 11/14/92  
Posted for: Special Hearing  
Petitioner: Dorothy & Randall Pettie  
Location of property: N. Glass Ave. 250' W. of Marilyn Ave.  
710 Glass Ave.  
Location of Sign: 710 Glass Ave. 250' W. of Marilyn Ave.  
Remarks:  
Posted by: [Signature]  
Date of return: 11/24/92  
Number of Signs: 1

## CERTIFICATE OF PUBLICATION

TOWSON, MD., 11/5, 1992

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on 11/5, 1992.

THE JEFFERSONIAN,

S. Zeke Orlean  
Publisher

receipt

Baltimore County  
Zoning Administration &  
Development Management  
111 West Chesapeake Avenue  
Towson, Maryland 21204

Account: R 001-6150

Number

93-140-A  
204/92 hearing

04A0480115MCHRC  
PB 001138AM11-16-92  
\$64.11

Baltimore County Government  
Office of Zoning Administration  
and Development Management



111 West Chesapeake Avenue  
Towson, MD 21204

(410) 887-3353

DATE: 11.6.92

Dorothy and Randall Pettie  
810 Glass Avenue  
Baltimore, Maryland 21221

RE:  
CASE NUMBER: 93-140-SPH (Item 147)  
N/S Glass Avenue, 250' W of c/l Marilyn Avenue  
810 Glass Avenue  
15th Election District - 5th Councilmanic  
Petitioner(s): Dorothy Pettie and Randall Pettie  
HEARING: FRIDAY, DECEMBER 4, 1992 at 2:00 p.m. in Rm. 106, Office Building.

Dear Petitioner(s):

Please be advised that \$ 64.11 is due for advertising and posting of the above captioned property and hearing date.

THIS FEE MUST BE PAID AND THE ZONING SIGN & POST SET(S) RETURNED ON THE DAY OF THE HEARING OR THE ORDER SHALL NOT ISSUE. DO NOT REMOVE THE SIGN & POST SET(S) FROM THE PROPERTY UNTIL THE DAY OF THE HEARING.

Please forward your check via return mail to the Zoning Office, County Office Building, 111 W. Chesapeake Avenue, Room 109, Towson, Maryland 21204. Place the case number on the check and make same payable to Baltimore County, Maryland. In order to avoid delay of the issuance of proper credit and/or your order, immediate attention to this matter is suggested.

Call John

ARNOLD JARON  
DIRECTOR

cc: John B. Contrum, Esq.

Printed on Recycled Paper

Baltimore County Government  
Office of Zoning Administration  
and Development Management



111 West Chesapeake Avenue  
Towson, MD 21204

OCT. 29 1992

(410) 887-3353

### NOTICE OF HEARING

The Zoning Commission of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204 on:

Room 118, Old Courthouse, 800 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 93-140-SPH (Item 147)  
N/S Glass Avenue, 250' W of c/l Marilyn Avenue  
810 Glass Avenue  
15th Election District - 5th Councilmanic  
Petitioner(s): Dorothy Pettie and Randall Pettie  
HEARING: FRIDAY, DECEMBER 4, 1992 at 2:00 p.m. in Rm. 106, Office Building.

Special Hearing to approve temporary care of 5 dogs is not a hearing.

Lawrence E. Schmidt  
Lawrence E. Schmidt

Zoning Commissioner of  
Baltimore County

cc: Dorothy and Randall Pettie  
John B. Contrum, Esq.

NOTE: HEARINGS ARE IMMEDIATELY ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.

Baltimore County Government  
Office of Zoning Administration  
and Development Management



111 West Chesapeake Avenue  
Towson, MD 21204

November 23, 1992

(410) 887-3353

John B. Contrum, Esquire  
814 Eastern Boulevard  
Baltimore MD 21221

RE: Case No. 93-140-A, Item No. 147  
Petitioner: Randall Duff Pettie, et ux  
Petition for Special Hearing

Dear Mr. Contrum:

The Zoning Plans Advisory Committee (ZAC) has reviewed the plans submitted with the above referenced petition. The attached comments from each reviewing agency are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties, i.e. Zoning Commissioner, attorney and/or the petitioner, are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case.

Enclosed are all comments submitted thus far from the members of ZAC that offer or request information on your petition. If additional comments are received from other members of ZAC, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

The following comments are related only to the filing of future zoning petitions and are aimed at expediting the petition filing process with this office.

1) The Director of Zoning Administration and Development Management has instituted a system whereby seasoned zoning attorneys who feel that they are capable of filing petitions that comply with all aspects of the zoning regulations and petitions filing requirements can file their petitions with this office without the necessity of a preliminary review by Zoning personnel.

Baltimore County Government  
Office of Zoning Administration  
and Development Management



111 West Chesapeake Avenue  
Towson, MD 21204

(410) 887-3353

Your petition has been received and accepted for filing this

21st day of October, 1992.

Call John

ARNOLD JARON  
DIRECTOR

Received By:

W. Carl Richards Jr.

Chairman,  
Zoning Plans Advisory Committee

Petitioner: Randall Duff Pettie, et ux

Petitioner's Attorney: John B. Contrum

DPW/Developers Engineering Division (Public Services)  
Development Review Committee Response Form

11/09/92

Authorized signature \_\_\_\_\_ Date \_\_\_\_\_

File Number	Waiver Number	Zoning Issue	Meeting Date
✓ Mike and Patricia Siano		146	11-2-92 NC
DED DEPRM RP SIP TE			
✓ Dorothy and Randall Pettie		147	NC
DED DEPRM RP SIP TE			

COUNT 14

90476 Stonegate at Patapsco (Aerial Property) 6-1-92  
ZON DED TE (Waiting for developer to submit plans first)

COUNT 1

FINAL TOTALS  
COUNT 15

\*\*\* END OF REPORT \*\*\*



**Maryland Department of Transportation  
State Highway Administration**

O. James Lighthizer  
Secretary  
Hal Kassoff  
Administrator

Ms. Julie Winiarski  
Zoning Administration and  
Development Management  
County Office Building  
Room 109  
111 W. Chesapeake Avenue  
Towson, Maryland 21204

Re: Baltimore County  
Item No.: 147 (WCR)

Dear Ms. Winiarski:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not effected by any State Highway Administration projects.

Please contact David Ramsey at 410-333-1350 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours,

*David Ramsey 10/10/92*

John Contestabile, Chief  
Engineering Access Permits  
Division

Rec'd 11/5/92

My telephone number is \_\_\_\_\_

Typewriter for Impaired Hearing or Speech  
383-7555 Baltimore Metro - 585-8451 D.C. Metro - 1-800-492-5082 Statewide Toll Free  
707 North Calvert St., Baltimore, Maryland 21203-0717

**BALTIMORE COUNTY, MARYLAND**

**INTER-OFFICE CORRESPONDENCE**

TO: Arnold Jablon, Director  
Zoning Administration and  
Development Management

DATE: November 5, 1992

FROM: Ervin Mc Daniel, Chief  
Office of Planning and Zoning  
Development Review Section

SUBJECT: Petitions from Zoning Advisory Committee  
(November 2, 1992)

The Office of Planning and Zoning has no comments on the following petition(s):

Steven and Nadine Mosgin, Item No. 129  
Kathleen Gaiser, Item No. 135  
Richard Shatrons and Jay Boyd, Item No. 137  
John and Barbara Taylor, Item No. 139  
Jose & Janice Lopey, Item No. 141  
Nick and Koula Proakis, Item No. 145  
Daniel and Sharon Woolfrey, Item No. 144  
Mark and Deborah Cleaver, Item No. 145  
Mike and Patricia Siano, Item No. 146  
Randall and Dorothy Pettie, Item No. 147

If there should be any further questions or if this office can provide additional information, please contact Francis Morsey in the Office of Planning at 887-3211.

Prepared by: *Francis Morsey*

Division Chief: *Ervin Mc Daniel*

EMd/PM:rdn

129.ZAC/ZAC1

DPM/Developers Engineering Division (Public Services)  
Development Review Committee Response Form  
Authorized signature \_\_\_\_\_ Date \_\_\_\_\_

11/09/92

File Number	Waiver Number	Zoning Issue	Meeting Date
✓ Mike and Patricia Siano			
DED DEPRM RP STP TE	146		11-2-92 NC
✓ Dorothy and Randall Pettie			
DED DEPRM RP STP TE	147		NC

COUNT 14

90476 Stonegate at Patapsco (Azeal Property)

ZON DED TE (Waiting for developer to submit plans first) 6-1-92

COUNT 1

FINAL TOTALS

COUNT 15

\*\*\* END OF REPORT \*\*\*

Baltimore County Government  
Fire Department

700 East Joppa Road Suite 901  
Towson, MD 21204-5500

(410) 887-4500

NOVEMBER 16, 1992

Arnold Jablon  
Director  
Zoning Administration and  
Development Management  
Baltimore County Office Building  
Towson, MD 21204

RE: Property Owner: DOROTHY PETTIE AND RANDALL PETTIE

Location: #810 GLASS AVENUE

Item No.: 147 (WCR) Zoning Agenda: NOVEMBER 2, 1992

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

7. The Fire Prevention Bureau has no comments at this time.

REVIEWER: *Carl J. Jeter* Noted and Approved  
Planning Group Fire Prevention Bureau  
Special Inspection Division

JP/KEK

Baltimore County Government  
Office of Zoning Administration  
and Development Management  
Office of Planning & Zoning

111 West Chesapeake Avenue  
Towson, MD 21204

(410) 887-3353

November 27, 1992

John B. Gontum, Esquire  
814 Eastern Boulevard  
Baltimore, MD 21221

RE: Preliminary Petition Review (Item #147)  
Case #93-140-000 (12/4/92, 2:00 p.m.)  
Legal Owner: Dorothy & Randall Pettie  
810 Glass Avenue  
District: 15c5

Dear Mr. Gontum:

At the request of the attorney/petitioner, the above referenced petition was accepted for filing without a final filing review by the staff. The petition was accepted with the understanding that all zoning issues/filing requirements would be addressed. A subsequent review by the staff has revealed unaddressed zoning issues and/or incomplete information. The following comments are advisory and do not necessarily identify all details and inherent technical zoning requirements necessary for a complete application. As with all petitions filed in this office, it is the final responsibility of the petitioner to make a proper application, address any zoning conflicts and, if necessary, to file revised petition materials. All revisions (including those required by the hearing officer) must be accompanied by a check made out to Baltimore County, Maryland for the \$100.00 revision fee.

1. This case is the subject of a zoning violation (#C-93-247).
2. Section 101 Definitions (B.C.Z.R., page 1-21) defines a kennel as "...for the housing of more than 3 dogs, not counting puppies less than 4 months old...". The Zoning Regulations, which do not differentiate between temporary and permanent care of dogs, and do not address the request of the petitioner.

John B. Gontum, Esquire  
November 27, 1992  
Page 2

3. Section 1802.1 (B.C.Z.R.) allows a kennel in a D.R.-5.5 zone by special exception. However, Section 421 (B.C.Z.R.) requires 200 feet from a property line, so a variance also needs to be filed.

If you need further information or have any questions, please do not hesitate to contact me at 887-3391.

Very truly yours,

*Laurence J. Goetz*

By: Laurence J. Goetz  
Planner I

LJG:scj

cc: Craig McGraw, Zoning Enforcement  
Baltimore County Office of Planning & Zoning

**BALTIMORE COUNTY, MARYLAND**

**DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT**

**INTER-OFFICE CORRESPONDENCE**

TO: Mr. Arnold E. Jablon, Director  
Office of Zoning Administration  
and Development Management

DATE: November 30, 1992

FROM: J. James Dieter

SUBJECT: Petition for Special Hearing - Item 147  
Pettie Property  
Chesapeake Bay Critical Area Findings

RECEIVED  
DEC 4 1992

ZONING OFFICE

**SITE LOCATION**

The subject property is located at 810 Glass Avenue. The site is within the Chesapeake Bay Critical Area and is classified as a Developed Area (IDA).

APPLICANT'S NAME: Randall and Dorothy Pettie

**APPLICANT PROPOSAL**

The applicants has requested a Special Hearing to determine whether temporary care of five (5) dogs is a kennel.

**GOALS OF THE CHESAPEAKE BAY CRITICAL AREA PROGRAM**

In accordance with the Chesapeake Bay Critical Area Program, all project approvals shall be based on a finding which assures that proposed projects are consistent with the following goals of the Critical Area Law:

1. "Minimize adverse impacts on water quality that result from pollutants that are discharged from structures or conveyances or that have runoff from surrounding lands;
2. Conserve fish, wildlife and plant habitat; and
3. Establish land use policies for development in the Chesapeake Bay Critical Area which accommodate growth and also address the fact that even if pollution is controlled, the number, movement, and activities of persons in that area can create adverse environmental impacts." <COMAR 14.15.10.01.>

Mr. Arnold E. Jablon  
November 30, 1992  
Page 2

**REGULATIONS AND FINDINGS**

**Definitions:**

"Development activities" means the construction or substantial alteration of residential, commercial, industrial, institutional, or transportation facilities or structures. <COMAR 14.15.01.01.B.21>

**Finding:**

This project does not propose any development activities as defined above, and is therefore not subject to Critical Area Development Regulations.

**CONCLUSION**

This project does not require a Findings because of the reason stated above. If there are any questions, please contact Ms. Patricia M. Farr at 887-2904.

*J. James Dieter*  
J. James Dieter, Director  
Department of Environmental Protection  
and Resource Management

JJD:SA:ju

Attachment

c: Mr. and Mrs. Randall Pettie

John E. Gontum, Esq.  
814 Eastern Boulevard  
Baltimore, Maryland 21221

PETTIE/TXTJEU

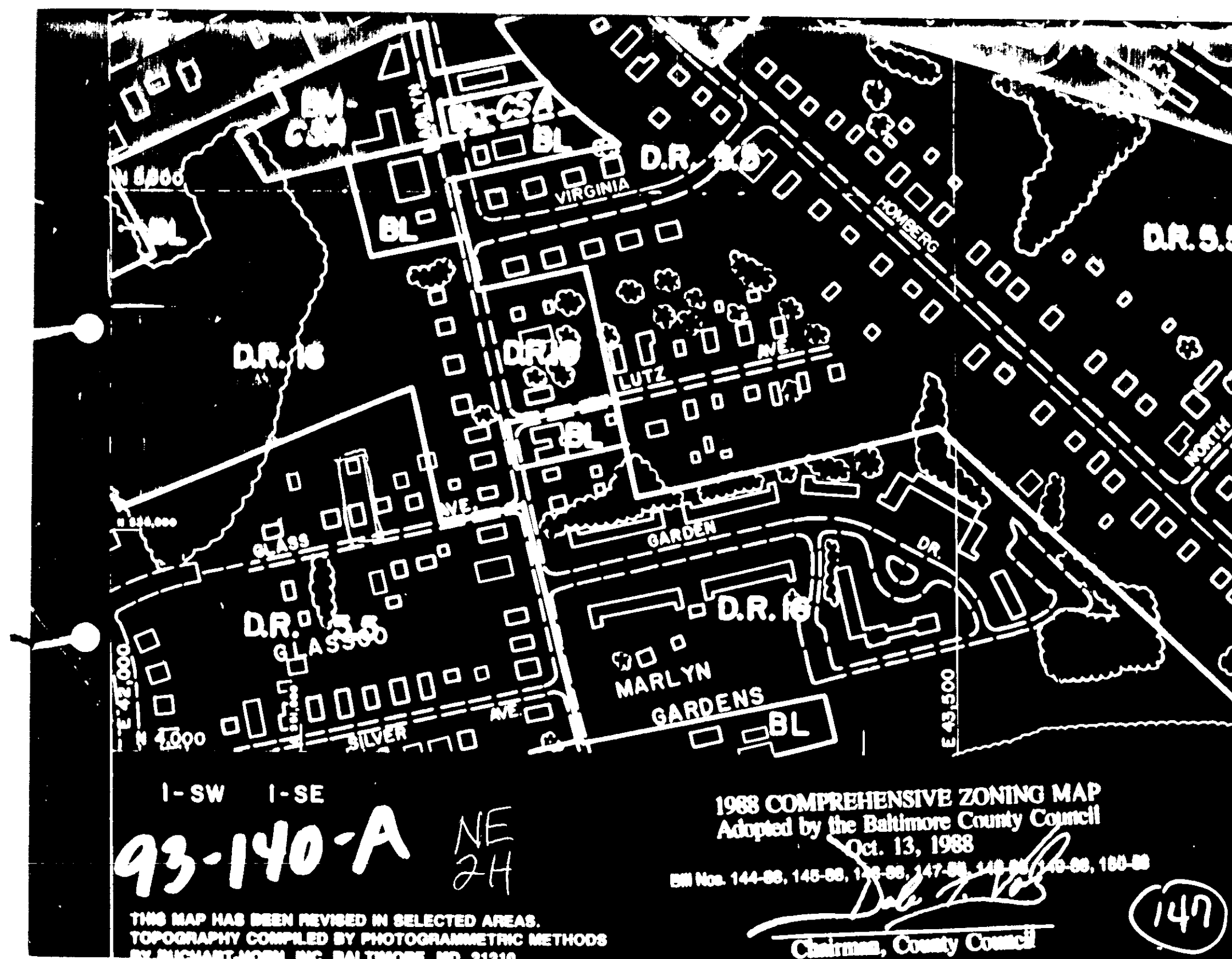
PLEASE PRINT CLEARLY PETITIONER(S) SIGN-IN SHEET[illegible]ZONING COMMISSIONER - WITNESS FORM

NAME: \_\_\_\_\_  
ADDRESS: \_\_\_\_\_  
COMPANY: \_\_\_\_\_  
ADDRESS: \_\_\_\_\_

REPRESENTING: \_\_\_\_\_

SUPPORTING: PETITIONER \_\_\_\_\_ PROTESTANT \_\_\_\_\_

TESTIMONY: \_\_\_\_\_  
*Louis H. Fisher*  
*816 Glen Ave*  
*21221*



<b>Plot to accompany Petition for Zoning</b> <input type="checkbox"/> <b>Variance</b> <input checked="" type="checkbox"/> <b>Special Hearing</b>	
PROPERTY ADDRESS: <u>810 Glass Ave.</u> <small>(see pages B &amp; C of the CHECKLIST for additional required information)</small>	
subdivision name: <u>Pet Ex #1</u> plat books: <u>2nd Edition, 200 lot # 6 section 6</u>  OWNER: <u>Pettie R.D.</u>	fence Line = _____ Property Line = _____ Property Measure = *
<p style="position: absolute; right: -50px; top: 50%; transform: rotate(90deg); font-size: 2em; font-weight: bold;">93-140-SPH</p>	
<div style="float: left; width: 60%;"> <b>LOCATION INFORMATION</b>            Comprehensive District: <u>General</u>            Location District: <u>General</u>            1"-200' scale map: <u>General</u>            Zoning: <u>D-2 S-1</u>            Lot area: <u>0.15</u> acre      <u>100</u> square feet            sewer: <input checked="" type="checkbox"/>            water: <input checked="" type="checkbox"/>            Chesapeake Bay Critical Area: <input type="checkbox"/>            Prior Zoning Hearing: <u>None</u> </div> <div style="float: right; width: 35%; text-align: center;"> <b>Zoning Office USE ONLY!</b>            reviewed by: _____ ITEM #: _____ CASE#: _____  <div style="border: 1px solid black; width: 50px; height: 50px; margin: auto; display: flex; align-items: center; justify-content: center; font-size: 1.5em; font-weight: bold;">147</div> </div>	
North <span style="margin-left: 100px;">date: <u>2-25-93</u></span> <span style="margin-left: 100px;">prepared by: <u>RDP</u></span> <span style="float: right;">Scale of Drawing: 1"= 50'</span>	

Petitioner's  
Exhibits  
2A, B & C  
93-140-5PX

Ret 5x #3

TO WHOM IT MAY CONCERN

Currently there are five dogs being housed at 810 Glass Avenue, Baltimore, Maryland 21221. Three of these dogs are owned by Randall and Dorothy Pettie. The other two dogs are the property of Tammy Pettie, their daughter.

Because of the economic conditions and financial difficulties that many people are enduring at this time, it became necessary for Tammy, who had been sharing an apartment with friends, to move back home with her parents and her two dogs. This is only a temporary living condition and Tammy, once financially stable, will be moving and taking her two dogs with her.

As there has been no problem with sanitation or noise, the below listed residents of Glass Avenue are in agreement with the temporary arrangement of having five dogs housed at 810 Glass Avenue, the property of Randall and Dorothy Pettie.

<u>Louis J. Kunkin, Jr</u> 12/3/92	<u>John J. Wilson</u> 12/3/92
<u>Mrs. Mrs. Joyce Peterson</u> 12/3/92	<u>Edward J. Hahlgren</u> 12/3/92
<u>Robert P. Ed</u> 12-3-92	<u>P. H. Ed</u> 12/3/92
<u>Lorraine Sharon Kunkin</u> 12/3/92	<u>Stella Lind</u>
<u>Gillis Nelson</u>	<u>Debbie J. Gibson</u> 12/3/92